

# PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 03-3895

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**SEARSBORO TELEPHONE COMPANY, INC. AND  
KILLDUFF TELEPHONE COMPANY SEEK WAIVER  
OF THE STUDY AREA BOUNDARY FREEZE AS CODIFIED  
IN PART 36 OF THE COMMISSION'S RULES AND WAIVER  
OF SECTION 69.605(C) OF THE COMMISSION'S RULES**

**PLEADING CYCLE ESTABLISHED**

**CC Docket No. 96-45**

**Release Date: December 9, 2003**

**Comment Date: December 24, 2003**

**Reply Comment Date: January 8, 2004**

On October 24, 2003, Seasboro Telephone Company, Inc. (Seasboro) and Killduff Telephone Company (Killduff) filed a joint petition for waiver of the study area boundary freeze as codified in the Appendix Glossary of Part 36 of the Commission's rules. The requested waiver would permit Seasboro to alter the boundaries of its existing Iowa study area in order to remove from its study area the Killduff exchange (approximately 190 access lines) that it is transferring to Killduff. The requested waiver also would permit Killduff to create a new study area in Iowa and operate the exchange as the incumbent local exchange carrier.

Killduff also seeks waiver, to the extent necessary, of the definition of "average schedule company" in section 69.605(c) of the Commission's rules, 47 C.F.R. § 69.605(c). Section 69.605(c) defines an average schedule company as a telephone company that was participating in average schedule settlements on December 1, 1982. The requested waiver would permit Killduff to operate the exchange as an average schedule company.

Pursuant to section 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **December 24, 2003** and reply comments on or before **January 8, 2004**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 13 FCC Rcd 11322, 11326 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <[www.fcc.gov/e-file/ecfs.html](http://www.fcc.gov/e-file/ecfs.html)>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to <[ecfs@fcc.gov](mailto:ecfs@fcc.gov)>, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service). The Commission's contractor Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filings hours at this location are 8:00 to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, SW, Room 5-B540, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Natek, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20054.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, please contact Regina Brown, Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-7400, TTY (202) 418-0484.